IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

And

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 26100 of 1996

Between:

M/s. Sri Raj Gopal Oil Mills Company, Rep. by its Managing Partner M.Sambasiva Rao, R/o No.29-28-97-A Desari Vari Street, Suryarao Pet, Vijayawada.

..... PETITIONER

AND

1 The Joint Commissioner (Legal) Commercial Taxes Department, Hyderabad.
2 The Deputy Commissioner (Appeals) Commercial Taxes Department, Vijayawada.
3 The Commissioner Tax Officer, Suryaraopet, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari or other appropriate Writ, direction or order of the Additional Commissioner/Joint Commissioner(Legal) Commercial Taxes Department in C.C.T's ref:L.V.(1) 2656/96 dt:27-11-96 and stay the collection of the tax, for the assessment years 1992-93 and 1993-94 pending disposal of the T.A.No.357/96 on the file of the Sales Tax Appellate Tribunal, Hyderabad and pass such other order or orders as may be just and necessary.

Counsel for the Petitioner: MR.N.JAYASURYA

Counsel for the Respondents: GP FOR COMMERCIAL TAXES

The Court made the following:

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ORAL ORDER: (per MHSA.J.)

In view of the interim orders granted by this Court, staying the collection of tax nothing survives for consideration in the instant Writ Petition. Accordingly the same is rendered infructuous by subsequent events viz., disposal of the appeal pending before the Sales Tax Appellate Tribunal.

2. Accordingly the Writ Petition is dismissed as infructuous. No costs.

(M.H.S.ANSARI, J.)

22nd December, 2004.

(S.ANANDA REDDY, J.)

SSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Joint Commissioner (Legal) Commercial Taxes Department, Hyderabad.
2 The Deputy Commissioner (Appeals) Commercial Taxes Department, Vijayawada.
3 The Commissioner Tax Officer, Suryaraopet, Vijayawada.

4 The Sales Tax Appellate Tribunal, Hyderabad.

5 2CCs to G.P. for Commercial Taxes, High Court of A.P. (OUT)

6 2CD copies.

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